

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Carlino Panzera et al.

Docket No. 173P023

Filed: June 14, 1999

Art Unit: 1731

Serial No.: 09/460,951

Examiner: John M. Hoffmann

For: Method of Manufacture of Dental  
Porcelain Having Small Leucite  
Crystallites

Confirmation No. 3152

DECLARATION

1. My name is Scott W. Cummings and I am a patent attorney at the firm Buchanan Ingersoll & Rooney PC ("Buchanan"). I practice in the Virginia offices of Buchanan at 1737 King St., Suite 500, Alexandria, VA 22314.

2. I became employed by Buchanan on February 1, 2006. During the relevant time period that Buchanan was responsible for the '951 application, I was at least partially responsible for prosecution of the '951 application.

3. On information and belief, prior to my employment, Buchanan was asked by the assignee of the '951 application to assume responsibility for prosecution of the '951 application. A record in our docketing system was created for the '951 application on August 28, 2005. A copy of this record is attached hereto as **Exhibit A**.

4. On information and belief, on February 2, 2006, a Power of Attorney was filed in the U.S. Patent Office by another attorney employed by Buchanan. A copy of this submission and a date stamped postcard receipt therefor is attached as **Exhibit B**.

5. The file history of the '951 application indicates that a Notice Regarding Power of Attorney was mailed to the Cantor Colburn firm on March 10, 2006 ("March Notice") in response to the February 2, 2006 Power of Attorney filing. A copy of this March Notice is attached hereto as **Exhibit C**. The March Notice stated that the Power of Attorney was not accepted. As evident from Exhibit C, the March Notice was sent to the Cantor Colburn firm, not to Buchanan. The March Notice was never received by me, and on information and belief, was

never received by Buchanan. If a copy of the March Notice had been received by Buchanan, from either the Patent Office or from a third party such as the Cantor Colburn firm, a record would have been created in our docketing system. As evident from Exhibit A, no such record was created. I was unaware that the power of attorney and/or correspondence address information for the '951 application had not been changed by the Patent Office. I was not made aware of the March Notice until after Buchanan had transferred responsibility for the '951 application to another firm.

6. I have been informed that the '951 application was abandoned for failure to respond to an Official Action with a mailing date of April 7, 2006 having a one-month period for reply (hereafter "the Official Action"). A copy of the Official Action is attached as **Exhibit D**. As seen from Exhibit D, the Official Action was sent to the Cantor Colburn firm, and not to Buchanan. The Official Action was never received by me, and on information and belief, was never received by Buchanan. If a copy of the Official Action has been received by Buchanan, from either the Patent Office or from a third party such as the Cantor Colburn firm, a record would have been created in our docketing system. As evident from Exhibit A, no such record was created. In addition, the one-month deadline for response would have appeared as an action item for the May 7, 2006 docketing record. Attached hereto as **Exhibit E** is a redacted copy of Buchanan's May 7, 2006 docketing record. As evident from Exhibit E, no due date for the '951 application appears on this date. I was unaware of the existence of the Official Action and the May 7, 2006 deadline associated therewith. I was not made aware of the Official Action until after Buchanan had transferred responsibility for the '951 application to another firm.

7. On April 25, 2006 I filed a Status Inquiry in the '951 application. A copy of this filing and a date-stamped postcard therefor is attached as **Exhibit F**.

8. On September 22, 2006, I filed an Information Disclosure Statement in the '951 application. A copy of this filing and a date-stamped postcard therefor is attached as **Exhibit G**.

9. The file history of the '951 application indicates that a Communication Re: Appeal was mailed to the Cantor Colburn firm on November 11, 2006 ("Communication"). A copy of this Communication is attached hereto as **Exhibit H**. The Communication indicates that the appeal was dismissed and the application held abandoned. As evident from Exhibit H, the March Notice was sent to the Cantor Colburn firm, not to Buchanan. The Communication was never received by me, and on information and belief, was never received by Buchanan. If a copy

of the Communication has been received by Buchanan, from either the Patent Office or from a third party such as the Cantor Colburn firm, a record would have been created in our docketing system. As evident from Exhibit A, no such record was created. I was unaware that the appeal had been dismissed and that the application had gone abandoned. I was not made aware of the Communication until after Buchanan had transferred responsibility for the '951 application to another firm.

10. On December 1, 2006 I filed a Power of Attorney and Change of Correspondence Address Indication form along with a Statement Under 37 C.F.R. 3.73(b) in the U.S. Patent Office, which was prompted by a question regarding the actual identity of the assignee (Jeneric/Petron vs. Pentron Ceramics). A copy of the date-stamped postcard receipt therefor is attached hereto as **Exhibit I**. However, the December 1, 2006 filing does not appear in the '951 file history or transaction record. As Buchanan has transferred its file to another firm, and the '951 application is not currently available in public PAIR, a full copy of this filing is unavailable at this time.

11. On or about January 3, 2008, Buchanan transferred responsibility for the above-identified application (hereafter "the '951 application") to the law firm of Bond, Schoeneck & King LLC, at the client's/applicant's request.

12. The entire period for delay in responding to the deadline set by the Official Action of April 7, 2006, while Buchanan was responsible for the '951 application, was unintentional because neither I nor Buchanan were aware of the existence of the Official Action or any deadline associated therewith.

13. I further declare that all statements made herein of my own knowledge are true and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issuing thereon.

April 27, 2009  
Date

Scott W. Cummings  
Scott W. Cummings

BIPC# 1034497-000030

PRINTED ON: 4/14/2009

|         |                |                        |            |   |       |            |
|---------|----------------|------------------------|------------|---|-------|------------|
| COUNTRY | US             | UNITED STATES          | TITLE      |   | PRIOR | 6/6/1997   |
| NEW/CON | CON            | SERIAL#                | 09/460,951 | Method of Manufacture of Dental Porcelain Having Small Leucite Crystallites | MAIL  |            |
| RELATED | 1034497-000030 | PATENT#                |            |   | FILE  | 12/14/1999 |
| TYPE    | UTL            | STATUS                 | TRANSFER   |   | PUBL  |            |
| CLIENT  | 1034497        | Ivoclar Vivadent, Inc. | 1          | CREF  | ISSUE |            |
| AGENT   |                |                        |            | AREF  | 1ST   | 12/14/1999 |
|         |                |                        |            |   | TFD   | Y 1/3/2008 |

| ID  | O | ACTION               | BASE       | DUE IN | DUE        | EXTNS | FINAL      | EXT | RESPONSE   | REMIN | 1   | 2 | P |
|---|---|----------------------|------------|--------|------------|-------|------------|-----|------------|-------|-----|---|---|
| AV  | Y | Advisory Action      | 9/24/2004  |        |            |       |            |     |            |       |     |   |   |
| NA  | N | Notice of Appeal     | 7/19/2004  | 3M     | 10/19/2004 | 31    | 1/19/2005  | 3   | 12/20/2004 | 1     | 2M  | Y | Y |
| FR  | N | Final Rejection Resp | 7/19/2004  | 3M     | 10/19/2004 | 31    | 1/19/2005  | 3   | 9/17/2004  | 1     | 2M  | Y | Y |
| AB  | N | Appeal Brief Due     | 12/20/2004 | 2M     | 2/20/2005  | 51    | 7/20/2005  | 5   | 2/22/2005  | 1     | 2M  | Y | Y |
| PY  | Y | Power of Attny Filed | 2/2/2006   |        |            |       |            |     |            |       |     |   |   |
| IS  | Y | Status Inquiry Filed | 4/25/2006  |        |            |       |            |     |            |       |     |   |   |
| DS  | y | Inf Disclosure Stmt  | 9/22/2006  |        |            |       |            |     |            | 1     |     |   |   |
| AS  | Y | Assignment           | 12/1/2006  |        |            |       |            |     |            |       |     |   |   |
| FAXED FROM JENERIC/PENTRON INCORPORATED TO PENTRON CERAMICS, INC. |   |                      |            |        |            |       |            |     |            |       |     |   |   |
| PY  | Y | Power of Attny Filed | 12/1/2006  |        |            |       |            |     |            |       |     |   |   |
| SX  | N | SC - Exam Answer     | 2/22/2005  | 24M    | 2/22/2007  | 91    | 11/22/2007 | 9   |            | 1     | 15D | Y | Y |
| PLEASE DO A STATUS  |   |                      |            |        |            |       |            |     |            |       |     |   |   |

|                  |
|------------------|
| <b>INVENTORS</b> |
| Panzer, Carlino  |
| Kaiser, Lisa M.  |

|                              |
|------------------------------|
| <b>ASSIGNEES</b>             |
| Jeneric/Pentron Incorporated |

| PRIOR APPLICATIONS |       |            |           |                     |      |
|--------------------|-------|------------|-----------|---------------------|------|
| REFERENCE#         | CNTRY | SERIAL#    | FILED     | TITLE / DESCRIPTION | TYPE |
|                    | US    | 08/870,965 | 6/6/1997  |                     | APPL |
|                    | US    | 08/614,044 | 3/12/1996 |                     | APPL |

| FAMILY MEMBERS |               |         |            |            |          |        |          |
|----------------|---------------|---------|------------|------------|----------|--------|----------|
| REFERENCE#     | COUNTRY       | NEW/CON | SERIAL#    | FILED      | PATENT # | ISSUED | STATUS   |
| 1034497-000030 | UNITED STATES | CON     | 09/460,951 | 12/14/1999 |          |        | TRANSFER |

| USER-DEFINABLE FIELDS |  | PATENT FIELDS |               |
|-----------------------|--|---------------|---------------|
| PG                    |  | SMALL ENTITY  | NO            |
| TYPE                  |  | IND CLAIMS    |               |
| CPA                   |  | TOTAL CLAIMS  |               |
|                       |  | PUBL #        |               |
|                       |  | ART UNIT      | 1731          |
|                       |  | CONFIRM#      | 3152          |
|                       |  | EXAMINER      | Hoffman, J.M. |

P49856US01 ENTERED 8/28/2005 MODIFIED 1/4/2008 9:14 BY DLH ATTORNEYS PJM / EJG / SWC

Exhibit A

# Patent Response Postcard

Inventor: Carlino Panzera et al. 34  
 Docket No.: 1034497-000030 December 14, 1999  
 Dkt. Clerk Initials:                      February 2, 2006  
 Working Atty.: EJG/gs

Filing Date:                       
 Date:                     

The following was/were received in the U.S. Patent and Trademark Office on the date stamped hereon:

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Amendment or Response   | <input type="checkbox"/> Executed Declaration/Power of Attorney   | <input type="checkbox"/> Request for Corrected Filing Receipt w/copy of Official Filing Receipt           |
| <input type="checkbox"/> Preliminary Amendment   | <input type="checkbox"/> Assignment/Assignment Recordation Form Cover Sheet (PTO-1595)  | <input type="checkbox"/> Supplemental Application Data Sheet  |
| <input type="checkbox"/> Amendment/Reply Transmittal Letter  | <input type="checkbox"/> Submission of Certified Copy of Priority Document w/ <u>                    </u> certified copy(ies) | <input type="checkbox"/> Substitute Specification (clean/marked copies)                                   |
| <input type="checkbox"/> Petition for <u>                    </u> Month Extension of Time  | <input type="checkbox"/> Information Disclosure Statement Transmittal   | <input type="checkbox"/> Check for \$ <u>                    </u> is enclosed                             |
| <input type="checkbox"/> Submission of Formal Drawings w/ <u>                    </u> sheet(s) of drawings (Fig(s). 1- <u>                    </u> ) | <input type="checkbox"/> Information Disclosure Citation (PTO-1449)   | <input type="checkbox"/> Check for \$ <u>                    </u> is enclosed                             |
| <input type="checkbox"/> Request for Approval of Drawing Changes w/ <u>                    </u> sheet(s) of red ink drawings                         | <input type="checkbox"/> Information Disclosure Statement w/ <u>                    </u> document(s)                          | <input type="checkbox"/> Charge \$ <u>                    </u> to Deposit Account                         |
| <input type="checkbox"/> Notice of Appeal  | <input type="checkbox"/> Request for Corrected Notice of Recordation of Assignment w/Copy of Notice                           | <input type="checkbox"/> Charge \$ <u>                    </u> to credit card. Form PTO-2038 is attached. |
| <input type="checkbox"/> Appeal Brief  | <input type="checkbox"/> Request for Continued Examination  | <input type="checkbox"/> Filed by Certificate of Mail   |
| <input type="checkbox"/> Request for Oral Hearing  | <input type="checkbox"/> Issue Fee Transmittal  | <input checked="" type="checkbox"/> Revocation and New Power of Attorney by Assignee of Entire Interest   |
| <input type="checkbox"/> Reply Brief   | <input type="checkbox"/> Status Inquiry   | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>                                |
| <input type="checkbox"/> Response to Restriction Requirement or Election of Species  | <input type="checkbox"/> Submission of Corrected Drawings   |   |
| <input type="checkbox"/> Terminal Disclaimer   | <input type="checkbox"/> Payment of Issue Fee and Authorization to charge Deposit Account                                     |   |
| <input type="checkbox"/> Certificate Under 37 C.F.R. 3.73(b)   | <input type="checkbox"/> Request for Refund   |   |
| <input type="checkbox"/> Transmittal Letter for Missing Parts of Application   |   |   |



If submitting documents via Express Mail, provide the Express Mailing Label No. below.  
 Express Mail Mailing Label No.



Patent  
Attorney Docket No. 034497-030

THW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of

Carlino Panzera et al.

Application No.: 09/460,951

Filing Date: December 14, 1999

Title: METHOD OF MANUFACTURE OF DENTAL PORCELAIN HAVING SMALL LEUCITE CRYSTALLITES

Group Art Unit: 1731

Examiner: J.M. Hoffman

Confirmation No.: 3152

REVOCATION AND NEW POWER OF ATTORNEY  
BY ASSIGNEE OF ENTIRE INTEREST

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

As the Assignee of the entire interest in the above-identified application, all powers of attorney previously given are hereby revoked, and I hereby appoint the attorneys and agents associated with the following PTO Customer Number of Buchanan Ingersoll PC (including attorneys from Burns, Doane, Swecker & Mathis) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and transact all business in connection with the above-identified application:

Customer Number **2 1 8 3 9**

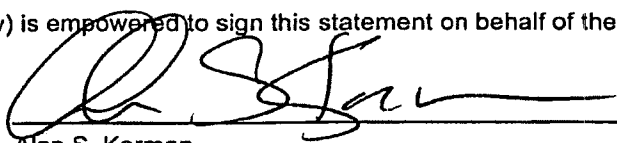
The Assignee has reviewed documentary evidence of the chain of title from the original owner to the Assignee recorded in the U.S. Patent and Trademark Office at the following Reel(s) and Frame(s), and certifies that to the best of its knowledge and belief it is the owner of the entire right, title and interest in and to the above-identified application: Reel: \_\_\_\_\_, Frame: \_\_\_\_\_ Reel: \_\_\_\_\_, Frame: \_\_\_\_\_

Reel: \_\_\_\_\_, Frame: \_\_\_\_\_

Please direct all telephone calls and correspondence to: Buchanan Ingersoll PC  
Including attorneys from Burns, Doane, Swecker & Mathis  
P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Date: 12/14/05

Signature: 

Name: Alan S. Korman

Title: President and Secretary

Company: Pentron Ceramics, Inc.

**Buchanan Ingersoll PC**  
ATTORNEYS

Including attorneys from Burns Doane Swecker & Mathis

(8/05)

Exhibit B



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO./TITLE |
|--------------------|------------------------|-----------------------|------------------------|
| 09/460,951         | 12/14/1999             | CARLINO PANZERA       | JEN-0005-Z             |

023413  
CANTOR COLBURN, LLP  
55 GRIFFIN ROAD SOUTH  
BLOOMFIELD, CT 06002

CONFIRMATION NO. 3152



Date Mailed: 03/10/2006

**NOTICE REGARDING POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 02/02/2006. The Power of Attorney in this application is not accepted for the reason(s) listed below:

- The Power of Attorney is from an assignee and the Certificate required by 37 CFR 3.73(b) has not been received.

LYNN LAM  
PTOSS (703) 308-9150

OFFICE COPY

Exhibit C





# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 09/460,951   | 12/14/1999  | CARLINO PANZERA      | JEN-0005-Z          | 3152             |
| 23413  | 7590        | 04/07/2006           | EXAMINER            |                  |
| CANTOR COLBURN, LLP<br>55 GRIFFIN ROAD SOUTH<br>BLOOMFIELD, CT 06002 |             |                      | HOFFMANN, JOHN M    |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 1731                |                  |

DATE MAILED: 04/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|  |                                      |                                       |  |
|--|--------------------------------------|---------------------------------------|--|
| <b>Notification of Non-Compliant Appeal Brief<br/>(37 CFR 41.37)</b> | <b>Application No.</b><br>09/460,951 | <b>Applicant(s)</b><br>PANZERA ET AL. |  |
|  | <b>Examiner</b><br>John Hoffmann     | <b>Art Unit</b><br>1731               |  |

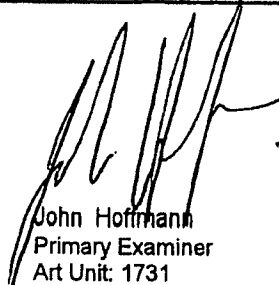
--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 08 September 2005 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file an amended brief or other appropriate correction (see MPEP 1205.03) within **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.**

1. ☐ The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2. ☐ The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).
3. ☐ At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4. ☐ (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
5. ☐ The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
6. ☐ The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7. ☐ The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8. ☒ The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner **and relied upon by appellant in the appeal**, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
9. ☐ The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
10. ☒ Other (including any explanation in support of the above items):

The IDSs of 11/24/2003 and 4/21/2003 have been considered. The IDS of 21 April 2003 is improper for the reason of record (and because it is a duplicate of the 11/24/2003 IDS).

  
 John Hoffmann  
 Primary Examiner  
 Art Unit: 1731

3-29-06

## Global Docket

Printed: 5/5/2006

| DUE   | ACTION               | CURRENT<br>EXTNS | EXTNS<br>REMAIN | REFERENCE#     | TITLE / MARK | CLIENT | REG/SERIAL#     | ATTY1/ATTY2<br>PARA |
|---|----------------------|------------------|-----------------|----------------|--------------|--------|-----------------|---------------------|
| <i>May continued...</i>   |                      |                  |                 |                |              |        |                 |                     |
| 06 Sat  | Inf Disclosure Stmt  | 4                | None            | 1034312-000015 |              |        | (US) 11/244,376 | BOS/---/---         |
| 06 Sat  | Notice of Appeal     | 0                | 3 ExV1 Mnth     | 1034497-000018 |              |        | (US) 10/659,640 | PJM/EJG/SWC         |
| 06 Sat  | Final Rejection Resp | 0                | 3 ExV1 Mnth     | 1034497-000018 |              |        | (US) 10/659,640 | PJM/EJG/SWC         |
| 06 Sat  | Inf Disclosure Stmt  | 0                | 3 ExV1 Mnth     | 1034512-000002 |              |        | (US) 10/567,431 | JAL/NEW/---         |
| 07 Sun  | Possible MP reminder | 0                | 3 ExV1 Mnth     | 0051615-000002 |              |        | (US) 78/808,568 | LG/---/LG           |
| 07 Sun  | Action Needed        | 1                | None            | 0055885-000009 |              |        | (EP) 04758045.1 | SWC/---/---         |
| <i>Reminder - updated address of Inventor Varma needed</i>  |                      |                  |                 |                |              |        |                 |                     |
| 07 Sun  | SC - Office Action   | 0                | 1 ExV1 Mnth     | 030462US       |              |        | (US) 10/725,971 | LJAN/ALJA           |
| 07 Sun  | SC - 1st OA          | 2                | 1 ExV2 Mnth     | 040329US       |              |        | (US) 10/886,464 | BHO/N/A/N/A         |
| 07 Sun  | Registration Details | 0                | None            | 050332WP       |              |        | (WO)            | CJVN/A/ATLS         |
| 07 Sun  | Ltrs Pat Received?   | 0                | 6 ExV1 Mnth     | 050667US       |              |        | (US) 6,994,050  | LJAN/ALJA           |
| 07 Sun  | Possible MP reminder | 2                | 1 ExV1 Mnth     | 050821US       |              |        | (US) 78/768,460 | BHO/N/A/N/A         |
| 07 Sun  | Action Needed        | 0                | None            | 1000500-000282 |              |        | (US) 09/720,908 | WCRT/DB/---         |
| <i>SUBSTITUTE APPEAL BRIEF DUE</i>  |                      |                  |                 |                |              |        |                 |                     |
| 07 Sun  | SC - 1st OA          | 2                | 1 ExV1 Mnth     | 1001580-000942 |              |        | (US) 10/612,936 | JAL/---/---         |
| <i>Application was filed 7/7/03</i>   |                      |                  |                 |                |              |        |                 |                     |
| 07 Sun  | SC - 1st OA          | 2                | 1 ExV1 Mnth     | 1001580-000944 |              |        | (US) 10/635,669 | JAL/---/---         |
| <i>Application was filed 8/7/03 PLEASE DO A STATUS</i>  |                      |                  |                 |                |              |        |                 |                     |
| 07 Sun  | SC - 1st OA          | 0                | 3 ExV1 Mnth     | 1001580-000974 |              |        | (US) 10/841,703 | JAL/---/---         |
| <i>Application was filed 5/7/04</i>   |                      |                  |                 |                |              |        |                 |                     |
| 07 Sun  | Inf Disclosure Stmt  | 4                | None            | 1001584-000002 |              |        | (US) 11/245,435 | JAL/---/---         |
| 07 Sun  | SC - Cert Correction | 2                | 1 ExV1 Mnth     | 1003250-000171 |              |        | (US) 6,102,922  | TSR/TSRCLN          |
| <i>ALSO ATTACHED IS A COMMUNICATION REGARDING REQUEST FOR CERTIFICATE OF CORRECTION TRANSMITTAL LETTER AND A SIGNED DECLARATION FROM JUDI HESTON. HAND CARRIED 05/07/03</i> |                      |                  |                 |                |              |        |                 |                     |
| 07 Sun  | SC - 1st OA          | 1                | 2 ExV2 Mnth     | 1003301-000174 |              |        | (US) 10/506,768 | BSD/---/---         |

Exhibit E

## Global Docket

Printed: 5/5/2006

| DUE | ACTION | CURRENT<br>EXTNS | EXTNS<br>REMAIN | REFERENCE# | TITLE / MARK | CLIENT | REG/SERIAL# | ATTY1/ATTY2<br>PARA |
|-----|--------|------------------|-----------------|------------|--------------|--------|-------------|---------------------|
|-----|--------|------------------|-----------------|------------|--------------|--------|-------------|---------------------|

May continued...

|   |                      |   |              |                |  |      |               |             |
|---|----------------------|---|--------------|----------------|--|------|---------------|-------------|
| 07 Sun  | SC - Status Check    | 3 | 1 Ext/1 Mnth | 1003301-000212 |  |      |               | BSD/TSR/--- |
| APPLICATION FOR EXTENSION OF PATENT TERM BY 1,728 DAYS FOR PATENT 5,502,077. HAS THE EXTENSION BEEN GRANTED?? |                      |   |              |                |  |      |               |             |
| 07 Sun  | SC - Status Check    | 3 | 1 Ext/1 Mnth | 1003301-000212 |  |      |               | BSD/TSR/--- |
| APPLICATION FOR EXTENSION OF PATENT TERM BY 1,413 DAYS FOR PATENT 5,698,594. HAS THE EXTENSION BEEN GRANTED?? |                      |   |              |                |  |      |               |             |
| 07 Sun  | SC - Status Check    | 3 | 1 Ext/1 Mnth | 1003301-000212 |  |      |               | BSD/TSR/--- |
| APPLICATION FOR EXTENSION OF PATENT TERM BY 1,477 DAYS FOR PATENT 5,656,667. HAS THE EXTENSION BEEN GRANTED?? |                      |   |              |                |  |      |               |             |
| 07 Sun  | Annuity Due          | 0 | 1 Ext/6 Mnth | 1003534-000123 |  | (GB) | 0963221       | PKS/---/--- |
| 07 Sun  | Annuity Due          | 0 | 1 Ext/6 Mnth | 1003534-000124 |  | (FR) | 0963221       | PKS/---/--- |
| 07 Sun  | Annuity Due          | 0 | 4 Ext/3 Mnth | 1003534-000125 |  | (ES) | 0963221       | PKS/---/--- |
| 07 Sun  | Annuity Due          | 0 | 1 Ext/6 Mnth | 1003534-000126 |  | (IE) | 0963221       | PKS/---/--- |
| 07 Sun  | Ltrs Pat Received?   | 0 | 6 Ext/1 Mnth | 1006450-000414 |  | (US) | PP16,243      | BSD/---/--- |
| 07 Sun  | SC - 1st OA          | 0 | 3 Ext/1 Mnth | 1007198-000593 |  | (US) | 10/840,601    | JAL/---/--- |
| Application was filed 5/7/04  |                      |   |              |                |  |      |               |             |
| 07 Sun  | SC -File Application | 7 | 4 Ext/1 Mnth | 1008111-000319 |  | (US) |               | NDP/---/--- |
| 07 Sun  | Response to OA       | 0 | 3 Ext/1 Mnth | 1011350-000314 |  | (US) | 10/629,792    | JAL/---/--- |
| 07 Sun  | Response to OA       | 0 | 3 Ext/1 Mnth | 1015290-000630 |  | (US) | 10/401,861    | PKS/---/EXB |
| 07 Sun  | Annuity Due          | 5 | 1 Ext/1 Mnth | 1015290-000727 |  | (SG) | 99496         | PKS/---/EXB |
| 07 Sun  | Check for Search Rpt | 0 | 1 Ext/1 Mnth | 1015292-000002 |  | (WO) | US2005/031008 | PKS/XXX/DMB |
| 07 Sun  | Check for Powers     | 1 | 1 Ext/1 Mnth | 1015292-000002 |  | (WO) | US2005/031008 | PKS/XXX/DMB |
| 07 Sun  | Check for Search Rpt | 0 | 1 Ext/1 Mnth | 1015452-000042 |  | (WO) | US2005/031538 | EJG/GFL/XXX |
| 07 Sun  | Check for Powers     | 5 | 1 Ext/1 Mnth | 1015930-000073 |  | (WO) | US2005/011541 | RES/XXX/TF  |

Exhibit E

## Global Docket

Printed: 5/5/2006

May continued...

| DUE    | ACTION               | CURRENT<br>EXTNS | EXTNS<br>REMAIN | REFERENCE#  | TITLE / MARK | CLIENT             | REG/SERIAL# | ATTY1/ATTY2<br>PARA |
|--------|----------------------|------------------|-----------------|---|--------------|--------------------|-------------|---------------------|
| 07 Sun | Check for Search Rpt | 5                | 1 Exv1 Mnth     | 1015930-000073  |              | (WO) US2005/011541 | RES/XXXVTF  |                     |
|        |                      |                  |                 | 12/7/05 - TC3600 - not yet assigned to examiner Per Help Desk 4/6/06 Email sent to examiner to expedite JSR |              |                    |             |                     |
| 07 Sun | SC - 1st OA          | 0                | 1 Exv1 Mnth     | 1016800-000652  |              | (US) 10/7/02,736   | NHS/MKB/--- |                     |
|        |                      |                  |                 | Application was filed 11/7/03   |              |                    |             |                     |
| 07 Sun | Status Check         | 2                | 1 Exv1 Mnth     | 1017750-000685  |              | (NO) 20006277      | PCK/---/--- |                     |
| 07 Sun | PCT 30 Mo Nationals  | 0                | None            | 1018190-000354  |              | (WO) US2004/033492 | KMN/---/--- |                     |
| 07 Sun | Send IPER to Nails   | 0                | 6 Exv1 Mnth     | 1018190-000354  |              | (WO) US2004/033492 | KMN/---/--- |                     |
| 07 Sun | PCT 30 Mo Nationals  | 0                | None            | 1018190-000356  |              | (WO) US2004/035438 | KMN/---/--- |                     |
| 07 Sun | SC - Office Action   | 2                | 1 Exv1 Mnth     | 1018656-000705  |              | (US) 09/288,966    | WCR/---/--- |                     |
|        |                      |                  |                 | Last response was filed 5/7/03 PLEASE DO A STATUS   |              |                    |             |                     |
| 07 Sun | Response to OA       | 0                | 3 Exv1 Mnth     | 1018798-000304.   |              | (US) 11/025,060    | WCR/WLW/--- |                     |
| 07 Sun | SC - Corrected FR    | 4                | 2 Exv1 Mnth     | 1019519-000383  |              | (US) 10/362,140    | RGM/RHL/--- |                     |
|        |                      |                  |                 | 3rd req. filed 11-5-04 4th request filed 01/07/05   |              |                    |             |                     |
| 07 Sun | Inf Disclosure Stmt  | 5                | 1 Exv1 Mnth     | 1021238-000791  |              | (US) 10/548,203    | PKS/---/--- |                     |
| 07 Sun | SC - Filing Receipt  | 2                | 1 Exv1 Mnth     | 1021238-000791  |              | (US) 10/548,203    | PKS/---/--- |                     |
|        |                      |                  |                 | Application was filed 9/7/05  |              |                    |             |                     |
| 07 Sun | SC - Missing Parts   | 2                | 1 Exv1 Mnth     | 1021238-000791  |              | (US) 10/548,203    | PKS/---/--- |                     |
|        |                      |                  |                 | Application was filed 9/7/05  |              |                    |             |                     |
| 07 Sun | Response to OA       | 0                | 3 Exv1 Mnth     | 1021269-000004  |              | (US) 10/732,227    | CFW/TDB/--- |                     |
| 07 Sun | Inf Disclosure Stmt  | 0                | 3 Exv1 Mnth     | 1021269-000076  |              | (US) 11/348,243    | CFW/NEW/LMP |                     |
| 07 Sun | Prior Act Resp Due   | 0                | 1 Exv4 Mnth     | 1022574-000003  |              | (US) 78/689,594    | FWH/---/--- |                     |
| 07 Sun | Status Check         | 2                | 1 Exv1 Mnth     | 1025265-000252  |              | (MX) 2002/010702   | CFW/---/--- |                     |
| 07 Sun | Response to OA       | 0                | 3 Exv1 Mnth     | 1027260-000518  |              | (US) 10/086,363    | JAL/EME/--- |                     |
| 07 Sun | Notice of Appeal     | 2                | 1 Exv1 Mnth     | 1027651-000144.   |              | (US) 10/705,876    | MLS/RHL/--- |                     |
| 07 Sun | Final Rejection Resp | 2                | 1 Exv1 Mnth     | 1027651-000144.   |              | (US) 10/705,876    | MLS/RHL/--- |                     |

Exhibit E

## Global Docket

Printed: 5/5/2006

| DUE   | ACTION               | CURRENT<br>EXTNS | EXTNS<br>REMAIN | REFERENCE#     | TITLE / MARK | CLIENT | REG/SERIAL# | ATTY/ATTY2<br>PARA |
|---|----------------------|------------------|-----------------|----------------|--------------|--------|-------------|--------------------|
| May continued...                                |                      |                  |                 |                |              |        |             |                    |
| 07 Sun  | SC - 1st OA          | 2                | 1 Ex/2 Mnth     | 1027651-000245 |              | (US)   | 10/500,847  | MLS/---            |
| 07 Sun  | SC - Filing Receipt  | 0                | 1 Ex/1 Mnth     | 1027651-000289 |              | (US)   | 10/555,759  | MLS/NEW/BTP        |
| Application was filed 11/7/05                   |                      |                  |                 |                |              |        |             |                    |
| 07 Sun  | Status Check         | 2                | 1 Ex/1 Mnth     | 1028723-000258 |              | (ZA)   | PT2987      | BSD/---            |
| 07 Sun  | Status Check         | 0                | 3 Ex/1 Mnth     | 1028723-000350 |              | (AR)   | RNC 8592    | BSD/---            |
| 07 Sun  | Status Check         | 0                | 3 Ex/1 Mnth     | 1028723-000355 |              | (AR)   | RNC 9501    | BSD/---            |
| 07 Sun  | Inf Disclosure Stmt  | 3                | None            | 1028750-000251 |              | (US)   | 10/555,795  | TSR/DHY/---        |
| 07 Sun  | SC - 1st OA          | 0                | 3 Ex/1 Mnth     | 1029650-000148 |              | (US)   | 10/840,600  | MLS/---            |
| Application was filed 5/7/04                    |                      |                  |                 |                |              |        |             |                    |
| 07 Sun  | Status Check         | 2                | None            | 1030601-000185 |              |        |             | FWH/---            |
| 07 Sun  | SC - Further Pros    | 0                | None            | 1030601-000205 |              | (CN)   | 2000156249  | FWH/---            |
| O.A. response filed 12/8/00. what's the status? |                      |                  |                 |                |              |        |             |                    |
| 07 Sun  | SC - Certificate Reg | 1                | 2 Ex/1 Mnth     | 1030601-000208 |              | (ZA)   | 2000/15290  | FWH/---            |
| 07 Sun  | SC - Prosecution     | 0                | None            | 1030601-000215 |              | (CN)   | 2000156250  | FWH/---            |
| 07 Sun  | SC - Certificate Reg | 0                | None            | 1030601-000229 |              | (IN)   | 01236785    | FWH/.../...        |
| 07 Sun  | SC - Certificate Reg | 0                | None            | 1030601-000230 |              | (IN)   | 1236569     | FWH/---            |
| 07 Sun  | Response to OA       | 0                | 3 Ex/1 Mnth     | 1030662-000103 |              | (US)   | 10/433,433  | RGM/RHL/---        |
| 07 Sun  | SC - 1st OA          | 0                | 1 Ex/1 Mnth     | 1030681-000487 |              | (US)   | 10/382,619  | CFW/---            |
| Application was filed 3/7/03 PLEASE DO A STATUS |                      |                  |                 |                |              |        |             |                    |
| 07 Sun  | SC - 1st OA          | 2                | 1 Ex/2 Mnth     | 1030681-000671 |              | (US)   | 10/885,033  | CFW/---            |
| 07 Sun  | Inf Disclosure Stmt  | 3                | None            | 1030681-000878 |              | (US)   | 11/267,263  | CFW/NEW/LMP        |
| 07 Sun  | Inf Disclosure Stmt  | 2                | 1 Ex/1 Mnth     | 1030681-000898 |              | (US)   | 11/295,564  | CFW/NEW/LMP        |
| 07 Sun  | Missing Parts (2 Mo) | 0                | 5 Ex/1 Mnth     | 1030681-000950 |              | (US)   | 11/346,212  | CFW/NEW/LMP        |
| 07 Sun  | Response to OA       | 0                | 3 Ex/1 Mnth     | 1030682-000112 |              | (US)   | 10/098,452  | JAL/MEW/---        |

Exhibit E

## Global Docket

Printed: 5/5/2006

| DUE  | ACTION                | CURRENT<br>EXTNS | EXTNS<br>REMAIN | REFERENCE#      | TITLE / MARK | CLIENT | REG/SERIAL# | ATTY1/ATTY2<br>PARA |
|--|-----------------------|------------------|-----------------|-----------------|--------------|--------|-------------|---------------------|
| <i>May continued...</i>                                |                       |                  |                 |                 |              |        |             |                     |
| 07 Sun   | Affidavit w/renewal   | 1                | None            | 1030788-000007  |              | (US)   | 1,934,372   | BPL/---/---         |
| 07 Sun   | Power Attorney Due    | 1                | None            | 1030954-000074  |              | (IL)   | 172466      | BOS/---/---         |
| <i>Reminder</i>  |                       |                  |                 |                 |              |        |             |                     |
| 07 Sun   | Possible MP reminder  | 0                | 3 ExV1 Mnth     | 1030994-000022  |              | (US)   | 78/808,972  | BPL/---/---         |
| 07 Sun   | Report due by         | 0                | None            | 1031118-000018  |              |        |             | BNL/BJM/---         |
| 07 Sun   | SC - Filing Receipt   | 2                | 1 ExV1 Mnth     | 1032013-000127  |              | (US)   | 10/548,269  | EJG/---/---         |
| <i>Application was filed 9/7/05</i>                    |                       |                  |                 |                 |              |        |             |                     |
| 07 Sun   | Missing Parts (2 Mo)  | 0                | 5 ExV1 Mnth     | 1032013-000134  |              | (US)   | 11/344,212  | EJG/MMH/---         |
| 07 Sun   | SC - 1st OA           | 2                | 1 ExV2 Mnth     | 1032326-000282  |              | (US)   | 10/500,849  | JAL/---/---         |
| 07 Sun   | Restrict Require-1M   | 1                | 4 ExV1 Mnth     | 1032364-000012  |              | (US)   | 11/144,787  | WCRTDB/---          |
| 07 Sun   | SC - 1st OA           | 0                | 1 ExV1 Mnth     | 1032404-000104  |              | (US)   | 10/212,814  | JAL/EME/---         |
| <i>Application was filed 8/7/02 PLEASE DO A STATUS</i> |                       |                  |                 |                 |              |        |             |                     |
| 07 Sun   | SC - Filing Receipt   | 0                | 1 ExV1 Mnth     | 1032487-000010  |              | (US)   | 10/520,521  | NHS/MKB/SBF         |
| <i>Application was filed 1/7/05 PLEASE DO A STATUS</i> |                       |                  |                 |                 |              |        |             |                     |
| 07 Sun   | SC - Office Action    | 1                | 1 ExV1 Mnth     | 1032668-000004. |              | (US)   | 09/548,659  | CFW/---/---         |
| 07 Sun   | SC - Office Action    | 2                | 1 ExV1 Mnth     | 1032674-000140  |              | (US)   | 09/896,780  | JAL/.../---         |
| <i>PLEASE DO A STATUS</i>                              |                       |                  |                 |                 |              |        |             |                     |
| 07 Sun   | Status Check          | 1                | 2 ExV1 Mnth     | 1032693-000146  |              | (MX)   | 2005/003687 | EJG/---/---         |
| 07 Sun   | SC - Office Action    | 2                | 1 ExV1 Mnth     | 1032751-000061  |              | (US)   | 09/810,490  | NHS/SMD/---         |
| 07 Sun   | SC - 1st OA           | 1                | 2 ExV2 Mnth     | 1032751-000115  |              | (US)   | 10/934,728  | NHS/TSR/---         |
| 07 Sun   | SC - File Application | 4                | 7 ExV1 Mnth     | 1032842-000228  |              | (US)   |             | PCK/---/---         |
| 07 Sun   | Inf Disclosure Stmt   | 0                | 3 ExV1 Mnth     | 1032879-000058  |              | (US)   | 11/348,232  | RGM/NEW/RSC         |
| 07 Sun   | Status Check          | 2                | 1 ExV1 Mnth     | 1033019-000120  |              | (EP)   | 01987219.1  | PKS/---/---         |
| 07 Sun   | Status Check          | 2                | 1 ExV1 Mnth     | 1033019-000122  |              | (CA)   | 2,432,241   | PKS/---/---         |

Exhibit E

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Printed: 5/5/2006

| DUE | ACTION | CURRENT<br>EXTNS | EXTNS<br>REMAIN | REFERENCE# | TITLE / MARK | CLIENT | REG/SERIAL# | ATTY1/ATTY2<br>PARA |
|-----|--------|------------------|-----------------|------------|--------------|--------|-------------|---------------------|
|-----|--------|------------------|-----------------|------------|--------------|--------|-------------|---------------------|

May continued...

|        |                  |   |             |                |  |  |                 |             |
|--------|------------------|---|-------------|----------------|--|--|-----------------|-------------|
| 07 Sun | Appeal Brief Due | 0 | 5 Ex/1 Mnth | 1033048-000019 |  |  | (US) 09/841,008 | JAL/---/--- |
|--------|------------------|---|-------------|----------------|--|--|-----------------|-------------|

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|--------|--------------|---|-------------|----------------|--|--|-----------------|-------------|
| 07 Sun | Status Check | 2 | 1 Ex/1 Mnth | 1033094-000022 |  |  | (EP) 03256282.9 | NHS/MKB/--- |
|--------|--------------|---|-------------|----------------|--|--|-----------------|-------------|

|        |                    |   |      |                |  |  |      |             |
|--------|--------------------|---|------|----------------|--|--|------|-------------|
| 07 Sun | File Appln - 30 Mo | 0 | None | 1033275-000480 |  |  | (US) | PCK/NEW/ANP |
|--------|--------------------|---|------|----------------|--|--|------|-------------|

|        |              |   |             |                |  |  |               |             |
|--------|--------------|---|-------------|----------------|--|--|---------------|-------------|
| 07 Sun | Status Check | 1 | 2 Ex/1 Mnth | 1033281-000089 |  |  | (MY) 97/08827 | BNI/BJM/--- |
|--------|--------------|---|-------------|----------------|--|--|---------------|-------------|

|        |                  |   |             |                |  |  |            |             |
|--------|------------------|---|-------------|----------------|--|--|------------|-------------|
| 07 Sun | SC - Prosecution | 1 | 2 Ex/1 Mnth | 1033281-000354 |  |  | (NG) 76803 | BNI/BJM/--- |
|--------|------------------|---|-------------|----------------|--|--|------------|-------------|

|        |                  |   |             |                |  |  |                 |             |
|--------|------------------|---|-------------|----------------|--|--|-----------------|-------------|
| 07 Sun | Appeal Brief Due | 0 | 5 Ex/1 Mnth | 1033285-000011 |  |  | (US) 10/157,969 | TSR/DHY/--- |
|--------|------------------|---|-------------|----------------|--|--|-----------------|-------------|

|        |             |   |             |                |  |  |                 |             |
|--------|-------------|---|-------------|----------------|--|--|-----------------|-------------|
| 07 Sun | SC - 1st OA | 2 | 1 Ex/2 Mnth | 1033292-000006 |  |  | (US) 10/887,466 | JRB/SBF/--- |
|--------|-------------|---|-------------|----------------|--|--|-----------------|-------------|

|        |             |   |             |                |  |  |                 |             |
|--------|-------------|---|-------------|----------------|--|--|-----------------|-------------|
| 07 Sun | SC - 1st OA | 2 | 1 Ex/2 Mnth | 1033292-000007 |  |  | (US) 10/887,453 | JRB/SBF/--- |
|--------|-------------|---|-------------|----------------|--|--|-----------------|-------------|

|        |                      |   |             |                |  |  |                     |             |
|--------|----------------------|---|-------------|----------------|--|--|---------------------|-------------|
| 07 Sun | Check for Search Rpt | 0 | 1 Ex/1 Mnth | 1033292-000019 |  |  | (WO) PCT/US2005/241 | JRB/SBF/--- |
|--------|----------------------|---|-------------|----------------|--|--|---------------------|-------------|

|        |                      |   |      |                |  |  |                |             |
|--------|----------------------|---|------|----------------|--|--|----------------|-------------|
| 07 Sun | Contact client re BR | 0 | None | 1033491-000002 |  |  | (US) 6,786,170 | KMN/---/--- |
|--------|----------------------|---|------|----------------|--|--|----------------|-------------|

|        |              |   |             |                |  |  |                 |             |
|--------|--------------|---|-------------|----------------|--|--|-----------------|-------------|
| 07 Sun | Status Check | 2 | 1 Ex/1 Mnth | 1033558-000004 |  |  | (US) 09/883,893 | AEK/---/--- |
|--------|--------------|---|-------------|----------------|--|--|-----------------|-------------|

HAS THE REQUEST TO DELETE REFERENCE OF THIRD INFORMATION DISCLOSURE STATEMENT BEEN ACCEPTED?

|        |                    |   |             |                |  |  |                |             |
|--------|--------------------|---|-------------|----------------|--|--|----------------|-------------|
| 07 Sun | Ltrs Pat Received? | 0 | 6 Ex/1 Mnth | 1033818-000065 |  |  | (US) 6,994,139 | AEK/---/--- |
|--------|--------------------|---|-------------|----------------|--|--|----------------|-------------|

|        |                |   |             |                |  |  |                 |             |
|--------|----------------|---|-------------|----------------|--|--|-----------------|-------------|
| 07 Sun | Response to OA | 2 | 1 Ex/1 Mnth | 1033818-000104 |  |  | (US) 10/820,860 | AEK/---/--- |
|--------|----------------|---|-------------|----------------|--|--|-----------------|-------------|

|        |                     |   |      |                |  |  |                 |            |
|--------|---------------------|---|------|----------------|--|--|-----------------|------------|
| 07 Sun | Off Action Resp Due | 0 | None | 1033832-000014 |  |  | (US) 79/013,198 | MB/---/--- |
|--------|---------------------|---|------|----------------|--|--|-----------------|------------|

|   |               |   |      |                |  |  |             |             |
|---|---------------|---|------|----------------|--|--|-------------|-------------|
| 07 Sun  | Action Needed | 1 | None | 1033839-000013 |  |  | (TH) 098496 | KMN/---/--- |
| Reminder- Advise F/A if Claims should be amended to conform |               |   |      |                |  |  |             |             |

|        |              |   |      |                |  |  |                 |            |
|--------|--------------|---|------|----------------|--|--|-----------------|------------|
| 07 Sun | Status Check | 0 | None | 1033881-000027 |  |  | (NO) 2002 00849 | MB/---/--- |
|--------|--------------|---|------|----------------|--|--|-----------------|------------|

|                        |              |   |      |                |  |  |         |             |
|------------------------|--------------|---|------|----------------|--|--|---------|-------------|
| 07 Sun                 | Status Check | 3 | None | 1034028-000001 |  |  | 105,146 | TRW/---/--- |
| Check status of appeal |              |   |      |                |  |  |         |             |

|  |                      |   |             |                |  |  |                    |             |
|--|----------------------|---|-------------|----------------|--|--|--------------------|-------------|
| 07 Sun                                   | Check for Search Rpt | 2 | 1 Ex/1 Mnth | 1034123-000102 |  |  | (WO) US2004/010939 | JRB/MPR/--- |
| 1/6/05 - Not yet completed per Help Desk |                      |   |             |                |  |  |                    |             |

|   |                     |   |             |                |  |  |                 |             |
|---|---------------------|---|-------------|----------------|--|--|-----------------|-------------|
| 07 Sun  | SC - Filing Receipt | 2 | 1 Ex/1 Mnth | 1034123-000122 |  |  | (US) 10/538,245 | JRB/JRB/SBF |
| Application was filed 6/7/05 PLEASE DO A STATUS |                     |   |             |                |  |  |                 |             |

Exhibit E



Global Docket

Printed: 5/5/2006

| DUE              | ACTION               | CURRENT<br>EXTNS | EXTNS<br>REMAIN | REFERENCE#     | TITLE / MARK                  | CLIENT             | REG/SERIAL#        | ATTY1/ATTY2<br>PARA |
|------------------|----------------------|------------------|-----------------|----------------|-------------------------------|--------------------|--------------------|---------------------|
| May continued... |                      |                  |                 |                |                               |                    |                    |                     |
| 07 Sun           | Check for Search Rpt | 0                | 1 Exv/1 Mnth    | 1034123-000163 |                               |                    | (WO) US05/31539    | JRB/SBF/---         |
| 07 Sun           | Check for Powers     | 0                | 1 Exv/1 Mnth    | 1034123-000163 |                               |                    | (WO) US05/31539    | JRB/SBF/---         |
| 07 Sun           | SC - 1st OA          | 0                | 1 Exv/1 Mnth    | 1034170-000012 | Application was filed 2/7/03  | PLEASE DO A STATUS | (US) 10/344,133    | MLS/---/---         |
| 07 Sun           | SC - 1st OA          | 2                | 1 Exv/1 Mnth    | 1034170-000014 | Application was filed 1/5/04  |                    | (US) 10/467,296    | MLS/---/---         |
| 07 Sun           | SC - 1st OA          | 1                | 2 Exv/1 Mnth    | 1034170-000019 | Application was filed 4/7/04  |                    | (US) 10/491,987    | MLS/---/---         |
| 07 Sun           | SC - Filing Receipt  | 0                | 1 Exv/1 Mnth    | 1034193-000025 | Application was filed 10/7/04 |                    | (US) 10/552,479    | PCK/NEW/---         |
| 07 Sun           | SC - Missing Parts   | 0                | 1 Exv/1 Mnth    | 1034193-000025 |                               |                    | (US) 10/552,479    | PCK/NEW/---         |
| 07 Sun           | SC - 1st OA          | 2                | 1 Exv/2 Mnth    | 1034296-000021 |                               |                    | (US) 10/885,078    | WCR/---/---         |
| 07 Sun           | Status Check         | 3                | None            | 1034392-000001 |                               |                    | TBA                | TRW/---/---         |
| 07 Sun           | Check for Search Rpt | 0                | 1 Exv/1 Mnth    | 1034457-000002 |                               |                    | (WO) US2005/023886 | CP/---/XXX          |
| 07 Sun           | Report Due           | 1                | None            | 1034493-000030 |                               |                    |                    | BN/---/---          |
| 07 Sun           | Report due by        | 3                | None            | 1034496-000003 |                               |                    |                    | TSR/---/---         |
| 07 Sun           | Affidavit w/renewal  | 0                | 1 Exv/6 Mnth    | 920562US       |                               |                    | (US) 1,973,191     | MLD/N/A/GAP         |
| 08 Mon           | Status Check         | 1                | 2 Exv/1 Mnth    | 000363MX       |                               |                    | (MX) 2000/001706   | CJV/N/A/TLS         |
| 08 Mon           | Possible MP reminder | 0                | 3 Exv/1 Mnth    | 0051773-000017 |                               |                    | (US) 78/809,601    | CJV/---/---         |
| 08 Mon           | Possible MP reminder | 0                | 3 Exv/1 Mnth    | 0051773-000018 |                               |                    | (US) 78/809,595    | CJV/---/---         |
| 08 Mon           | Ask Client re FF     | 0                | None            | 0053339-000002 |                               |                    | (US) 60/697,355    | SWE/PCK/---         |
| 08 Mon           | SC -File Application | 2                | 9 Exv/1 Mnth    | 0055446-000002 |                               |                    | (US)               | DMC/---/DMC         |
| 08 Mon           | Response to OA       | 0                | 3 Exv/1 Mnth    | 011147US       |                               |                    | (US) 09/951,491    | LJA/---/---         |
| 08 Mon           | Annuity Due          | 1                | None            | 011241ES       |                               |                    | (ES) 2,026,036     | LJA/N/A/TLS         |

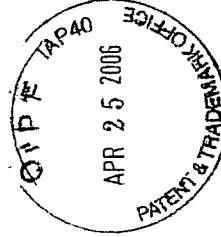
Exhibit E

# Patent Response Postcard

Inventor: Carlino Panzera et al. 33 Filing Date: December 14, 1999  
 Docket No.: 1034497-000030 Appln. No.: 09/460,951 Date: April 25, 2006  
 Dkt. Clerk Initials: SWC/geh Working Atty.: SWC/geh

The following was/were received in the U.S. Patent and Trademark Office on the date stamped hereon:

- |  |   |   |
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| <input checked="" type="checkbox"/> Amendment or Response  | <input type="checkbox"/> Executed Declaration/Power of Attorney   | <input type="checkbox"/> Request for Corrected Filing Receipt w/copy of Official Filing Receipt |
| <input type="checkbox"/> Preliminary Amendment   | <input type="checkbox"/> Assignment/Assignment Recordation Form Cover Sheet (PTO-1595)                          | <input type="checkbox"/> Supplemental Application Data Sheet                                    |
| <input type="checkbox"/> Amendment/Reply Transmittal Letter  | <input type="checkbox"/> Submission of Certified Copy of Priority Document w/ <u>      </u> certified copy(ies) | <input type="checkbox"/> Substitute Specification (clean/marked copies)                         |
| <input type="checkbox"/> Petition for <u>      </u> Month Extension of Time  | <input type="checkbox"/> Information Disclosure Statement Transmittal   | <input type="checkbox"/> Check for \$ <u>      </u> is enclosed                                 |
| <input type="checkbox"/> Submission of Formal Drawings w/ <u>      </u> sheet(s) of drawings (Fig(s). 1- <u>      </u> ) | <input type="checkbox"/> Information Disclosure Citation (PTO-1449)   | <input type="checkbox"/> Check for \$ <u>      </u> is enclosed                                 |
| <input type="checkbox"/> Request for Approval of Drawing Changes w/ <u>      </u> sheet(s) of red ink drawings           | <input type="checkbox"/> Information Disclosure Statement w/ <u>      </u> document(s)                          | <input type="checkbox"/> Charge \$ <u>      </u> to Deposit Account                             |
| <input type="checkbox"/> Notice of Appeal  | <input type="checkbox"/> Request for Corrected Notice of Recordation of Assignment w/Copy of Notice             | <input type="checkbox"/> Charge \$ <u>      </u> to credit card. Form PTO-2038 is attached.     |
| <input type="checkbox"/> Appeal Brief  | <input type="checkbox"/> Request for Continued Examination  | <input type="checkbox"/> Filed by Certificate of Mail   |
| <input type="checkbox"/> Request for Oral Hearing  | <input type="checkbox"/> Issue Fee Transmittal  | <input type="checkbox"/> <input type="checkbox"/>   |
| <input type="checkbox"/> Reply Brief   | <input checked="" type="checkbox"/> Status Inquiry  | <input type="checkbox"/>  |
| <input type="checkbox"/> Response to Restriction Requirement or Election of Species                                      | <input type="checkbox"/> Submission of Corrected Drawings   | <input type="checkbox"/>  |
| <input type="checkbox"/> Terminal Disclaimer   | <input type="checkbox"/> Payment of Issue Fee and Authorization to charge Deposit Account                       | <input type="checkbox"/>  |
| <input type="checkbox"/> Certificate Under 37 C.F.R. 3.73(b)   | <input type="checkbox"/> Request for Refund   | <input type="checkbox"/>  |
| <input type="checkbox"/> Transmittal Letter for Missing Parts of Application   |   |   |



If submitting documents via Express Mail, provide the Express Mailing Label No. below:  
**Express Mail Mailing Label No.**



Attorney's Docket No. 1034497-000030

1Fu

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                               |   |                        |
|-------------------------------|---|------------------------|
| In re Patent Application of   | ) |                        |
| Carlino Panzera et al.        | ) | Group Art Unit: 1731   |
| Application No.: 09/460,951   | ) | Examiner: J.M. Hoffman |
| Filed: December 14, 1999      | ) | Confirmation No.: 3152 |
| For: METHOD OF MANUFACTURE OF | ) |                        |
| DENTAL PORCELAIN HAVING SMALL | ) |                        |
| LEUCITE CRYSTALLITES          | ) |                        |

STATUS INQUIRY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

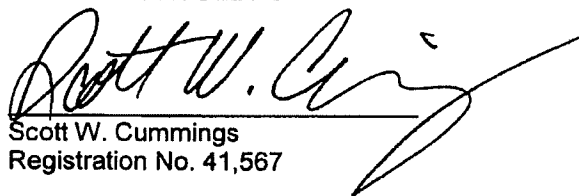
Please advise, in writing, as to the current status of the above-captioned application.

Respectfully submitted,

BUCHANAN INGERSOLL PC

Date April 25, 2006

By:

  
Scott W. Cummings  
Registration No. 41,567

P.O. Box 1404  
Alexandria, VA 22313-1404  
703.836.6620

Exhibit F

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )

Carlino Panzera et al. )

Application No.: 09/460,951 )

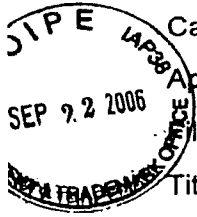
Filing Date: December 14, 1999 )

Title: METHOD OF MANUFACTURE OF )  
DENTAL PORCELAIN HAVING )  
SMALL LEUCITE CRYSTALLITES )

Group Art Unit: 1731

Examiner: J.M. Hoffman

Confirmation No.: 3152



FOURTH  
INFORMATION DISCLOSURE STATEMENT  
TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a FOURTH Information Disclosure Statement (IDS) and accompanying form PTO-1449 for the above-identified patent application.

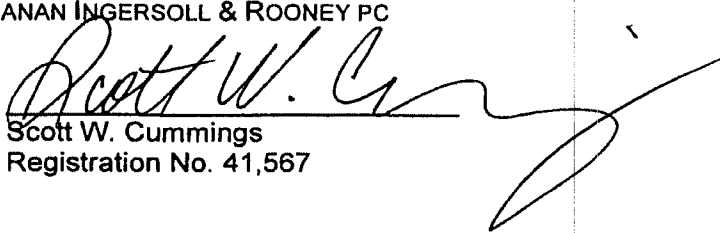
- ☒ No additional fee for submission of an IDS is required.
- ☐ The fee of \$ 180 as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e), and the fee of \$ 180 as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the fee due.
- ☐ Charge \_\_\_\_\_ to credit card for the fee due. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date September 22, 2006

By:

  
Scott W. Cummings  
Registration No. 41,567

P.O. Box 1404  
Alexandria, VA 22313-1404  
703 836 6620

**Buchanan Ingersoll & Rooney PC**  
Attorneys & Government Relations Professionals

Exhibit G

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

Carlino Panzera et al.

Application No.: 09/460,951

Filed: December 14, 1999

For: METHOD OF MANUFACTURE OF  
DENTAL PORCELAIN HAVING SMALL  
LEUCITE CRYSTALLITES



) Group Art Unit: 1731

) Examiner: J.M. Hoffman

) Confirmation No.: 3152

**FOURTH INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

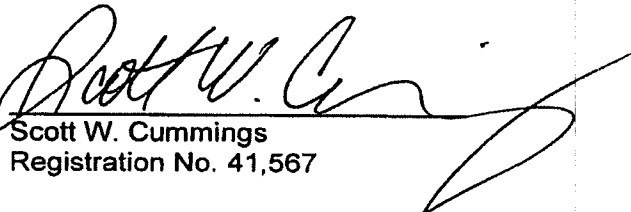
To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: September 22, 2006

By:

  
Scott W. Cummings  
Registration No. 41,567

P.O. Box 1404  
Alexandria, VA 22313-1404  
703 836 6620

**Buchanan Ingersoll & Rooney PC**  
Attorneys & Government Relations Professionals

**Exhibit G**

**FOURTH**  
**INFORMATION DISCLOSURE**  
**STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

|                      |                        |
|----------------------|------------------------|
| Application Number   | 09/460,951             |
| Filing Date          | December 14, 1999      |
| First Named Inventor | Carlino Panzera et al. |
| Examiner Name        | J.M. Hoffman           |
| Attorney Docket No.  | 1034497-000030         |

## U.S. PATENT DOCUMENTS

| Examiner Initials | Document Number | Kind Code (if known) | Name of Patentee or Applicant of Cited Document | Issue/Publication Date (MM-DD-YYYY) |
|-------------------|-----------------|----------------------|---|-------------------------------------|
|                   |                 |                      |   |                                     |
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## FOREIGN PATENT DOCUMENTS

| Examiner Initials | Document Number | Kind Code (if known) | Country | Date of Publication (MM-DD-YYYY) | STATUS      |                     |                    |               |      |          |               |
|-------------------|-----------------|----------------------|---------|----------------------------------|-------------|---------------------|--------------------|---------------|------|----------|---------------|
|                   |                 |                      |         |                                  | Translation | Partial Translation | Eng. Lang. Summary | Search Report | IPER | Abstract | Cited in Spec |
|                   | 0 155 564       |                      | EPO     | 09-25-1985                       |             |                     |                    |               |      |          |               |
|                   | 0 272 745       |                      | EPO     | 04-22-1992                       |             |                     |                    |               |      |          |               |
|                   |                 |                      |         |                                  |             |                     |                    |               |      |          |               |
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|                   |                 |                      |         |                                  |             |                     |                    |               |      |          |               |
|                   |                 |                      |         |                                  |             |                     |                    |               |      |          |               |

## NON-PATENT LITERATURE DOCUMENTS

| Examiner Initials | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. |
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|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

Exhibit G



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.          | CONFIRMATION NO. |
|--|-------------|----------------------|------------------------------|------------------|
| 09/460,951   | 12/14/1999  | CARLINO PANZERA      | JEN-0005-Z                   | 3152             |
| 23413  | 7590        | 11/07/2006           |                              |                  |
| CANTOR COLBURN, LLP<br>55 GRIFFIN ROAD SOUTH<br>BLOOMFIELD, CT 06002 |             |                      | EXAMINER<br>HOFFMANN, JOHN M |                  |
|  |             |                      | ART UNIT<br>1731             | PAPER NUMBER     |

DATE MAILED: 11/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                                 |                 |                |  |
|---------------------------------|-----------------|----------------|--|
| <b>Communication Re: Appeal</b> | Application No. | Applicant(s)   |  |
|                                 | 09/460,951      | PANZERA ET AL. |  |
|                                 | Examiner        | Art Unit       |  |
|                                 | John Hoffmann   | 1731           |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☐ The Notice of Appeal filed on \_\_\_\_\_ is not acceptable because:
- (a) ☐ it was not timely filed.
  - (b) ☐ the statutory fee for filing the appeal was not submitted. See 37 CFR 41.20(b)(1).
  - (c) ☐ the appeal fee received on \_\_\_\_\_ was not timely filed.
  - (d) ☐ the submitted fee of \$\_\_\_\_\_ is insufficient. The appeal fee required by 37 CFR 41.20(b)(1) is \$\_\_\_\_\_.
  - (e) ☐ the appeal is not in compliance with 37 CFR 41.31(a)(1) in that no claim has been twice rejected.
  - (f) ☐ a Notice of Allowability, PTO-37, was mailed by the Office on \_\_\_\_\_.
2. ☐ The appeal brief filed on \_\_\_\_\_ is NOT acceptable for the reason(s) indicated below:
- (a) ☐ the brief and/or brief fee is untimely. See 37 CFR 41.37(a).
  - (b) ☐ the statutory fee for filing the brief has not been submitted. See 37 CFR 41.20(b)(2).
  - (c) ☐ the submitted brief fee of \$\_\_\_\_\_ is insufficient. The brief fee required by 37 CFR 41.20(b)(2) is \$\_\_\_\_\_.

The appeal in this application will be dismissed unless corrective action is taken to timely submit the brief and requisite fee. See 37 CFR 41.37(a)(1). Extensions of time may be obtained under 37 CFR 1.136(a). See 37 CFR 41.37(e).

3. ☒ The appeal in this application is DISMISSED because:
- (a) ☐ the statutory fee for filing the brief as required under 37 CFR 41.20(b)(2) was not timely submitted and the period for obtaining an extension of time to file the brief under 37 CFR 1.136(a) has expired.
  - (b) ☐ the brief was not timely filed and the period for obtaining an extension of time to file the brief under 37 CFR 1.136(a) has expired.
  - (c) ☐ a Request for Continued Examination (RCE) under 37 CFR 1.114 was filed on \_\_\_\_\_.
  - (d) ☒ other: No proper brief was filed in response to the notification of 4/7/2006. Although another Brief was filed on 5/08/2006, it was also not compliant. the period of obtaining an extension of time has expired.
4. ☒ Because of the dismissal of the appeal, this application:
- (a) ☒ is abandoned because there are no allowed claims.
  - (b) ☐ is before the examiner for final disposition because it contains allowed claims. Prosecution on the merits remains CLOSED.
  - (c) ☐ is before the examiner for consideration.

11-6-07

**JOHN HOFFMANN**  
PRIMARY EXAMINER  
GROUP 1300



# Patent Response Postcard

35

Inventor: Carlino Panzera et al. Appln. No.: 09/460,951 Filing Date: December 14, 1999  
Docket No.: 1034497-000030 Working Atty.: SWC/geh Date: December 1, 2006  
Title: METHOD OF MANUFACTURE OF DENTAL PORCELAIN HAVING SMALL LEUCITE CRYSTALLITES

Dkt. Clerk Initials



The following was/were received in the U.S. Patent and Trademark Office on the date stamped herein:

- |   |   |  |
|---|---|--|
| <ul style="list-style-type: none"> <li><input type="checkbox"/> Amendment or Response</li> <li><input type="checkbox"/> Preliminary Amendment</li> <li><input type="checkbox"/> Amendment/Reply Transmittal Letter</li> <li><input type="checkbox"/> Petition for _____ Month Extension of Time</li> <li><input type="checkbox"/> Submission of Formal Drawings w/ _____ sheet(s) of drawings (Fig(s). 1- _____)</li> <li><input type="checkbox"/> Request for Approval of Drawing Changes w/ _____ sheet(s) of red ink drawings</li> <li><input type="checkbox"/> Notice of Appeal</li> <li><input type="checkbox"/> Appeal Brief</li> <li><input type="checkbox"/> Request for Oral Hearing</li> <li><input type="checkbox"/> Reply Brief</li> <li><input type="checkbox"/> Response to Restriction Requirement or Election of Species</li> <li><input type="checkbox"/> Terminal Disclaimer</li> <li><input type="checkbox"/> Certificate Under 37 C.F.R. 3.73(b)</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Transmittal Letter for Missing Parts of Application</li> <li><input type="checkbox"/> Executed Declaration/Power of Attorney</li> <li><input type="checkbox"/> Assignment/Assignment Recordation Form Cover Sheet (PTO-1595)</li> <li><input type="checkbox"/> Submission of Certified Copy of Priority Document w/ _____ certified copy(ies)</li> <li><input type="checkbox"/> Information Disclosure Statement Transmittal</li> <li><input type="checkbox"/> Information Disclosure Citation (PTO-1449)</li> <li><input type="checkbox"/> Information Disclosure Statement w/ _____ document(s)</li> <li><input type="checkbox"/> Request for Continued Examination</li> <li><input type="checkbox"/> Issue Fee Transmittal</li> <li><input type="checkbox"/> Request for Corrected Notice of Recordation of Assignment w/Copy of Notice</li> <li><input type="checkbox"/> Request for Corrected Filing Receipt w/copy of Official Filing Receipt</li> <li><input type="checkbox"/> Status Inquiry</li> <li><input type="checkbox"/> Request for Official Filing Receipt</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Submission of Corrected Drawings</li> <li><input type="checkbox"/> Payment of Issue Fee and Authorization to charge Deposit Account</li> <li><input type="checkbox"/> Request for Refund</li> <li><input type="checkbox"/> Supplemental Application Data Sheet</li> <li><input type="checkbox"/> Substitute Specification (clean/marked up copies)</li> <li><input type="checkbox"/> Charge \$ _____ to Deposit Account</li> <li><input type="checkbox"/> Charge \$ _____ to credit card. Form PTO-2038 is attached</li> <li><input type="checkbox"/> Filed by Certificate of Mail</li> <li><input checked="" type="checkbox"/> Power of Attorney and Correspondence Address Indication Form</li> <li><input checked="" type="checkbox"/> Statement Under 37 C.F.R. 3.73(b)</li> <li><input type="checkbox"/></li> </ul> |
|---|---|--|

